



UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

Date: January 24, 1990

To: David K. Cornwell
SAIDMAN STERNE et al
1225 Connecticut Avenue
Washington DC 20036

We Regret to inform you that your request for refund dated 9/8/89 in the amount of \$ 390.00 covering a fee for extension in application no. 161046 cannot be authorized. Please refer to box checked below.

{ } Small entity status fee not refundable...
The time has expired for refund of this fee.
A refund based on establishment of small entity status may only be obtained if a verified statement under 37 CFR 1.27 and a request for refund of the excess amount are filed within two months of the timely payment of the full fee {37 CFR 1.28}.

{ } Application or petition filing fee not refundable...
Money paid by actual mistake or in excess, such as payment not required by law, will be refunded, but a mere change of purpose after payment of money, as when a party desires to withdraw an application, an appeal, or request for oral hearing does not entitle the party to a refund {37 CFR 1.26}... If any application is filed without the specification or drawing and the omission is not corrected within the period set, the application will be returned or otherwise disposed of. The fee, if submitted, will be refunded less a \$15.00 handling fee {37 CFR 1.53(c)}.

{X} The \$390.00 charge in question was incurred because the \$195.00 fee submitted was insufficient; the case did not enjoy small entity status. This fact was noted by the Group and on 2/17/89 the \$195.00 fee submitted was credited to the account and the correct fee of \$390.00 was charged. Small entity status was established with the filing of SN 303952. We hope this information will be of assistance.

Sincerely,

[Signature]
John L. Oliff, Supervisor
Appropriation Accounting Division